

# TENNESSEE REGULATORY AUTHORITY



**Ron Jones**, Chairman  
**Deborah Taylor Tate**, Director  
**Pat Miller**, Director  
**Sara Kyle**, Director

460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

January 4, 2006

Ms. Jean L. Kiddoo, Counsel  
Mr. Edward S. Quill, Counsel  
Mr. Brent P. Ferenczak, Counsel  
Swidler Berlin LLP  
3000 K Street, NW, Suite 300  
Washington, DC 20007-5116

RE: Docket 05-00341: Joint Petition of Hypercube, LLC and KMC Data LLC for Grant of the Authority to Complete a Series of Transactions Resulting in the Transfer of Control of an Authorized Carrier

Dear Ms. Kiddoo and Messrs. Quill and Ferenczak:

In order to fully analyze the above-referenced petition, the Tennessee Regulatory Authority (TRA) requires additional information. Please provide the information requested below by January 13, 2006, and refer to this correspondence as Data Request No. 1 in the response.

1. Have the petitioners filed similar petitions or notices in other states? If so, provide a listing of states and action taken.
2. Have the petitioners filed a similar petition with the FCC or other federal agency? If so, list any action taken and the associated file(s) or document number(s). If a schedule to complete the review of your petition has been established by any federal agency, provide such with your response.
3. Provide the number of customers that KMC Data LLC ("KMC Data") currently have in Tennessee.
4. Will all KMC Data customers in Tennessee be transferred to Hypercube, LLC ("Hypercube")?
5. What telecommunication services will KMC Data continue to provide under its current CCN in Tennessee after the transfer?
6. Explain the current and future plans for existing MCI Network Services wholesale customers in Tennessee.
7. Consistent with TRA Rule 1220-4-2-.56(2) (d), provide a current customer notice

or letter informing customers of the change in ownership and/or operating authority.

8. Verify all current CCNs issued by the Authority, and provide copies of all current business licenses of each Petitioner filed with the Tennessee Secretary of State's Office.
9. Confirm that petitioners will continue to operate under their present CCNs issued by the Authority and business licenses as filed with the Tennessee Secretary of State's Office.

If you have any questions or need further assistance, please call Carlos Black at 615-741-2904, ext. 196 or e-mail him at [Carlos.Black@state.tn.us](mailto:Carlos.Black@state.tn.us). Please respond by sending the original and 13 copies to:

Ms. Shárla Dillon, Docket Room Manager  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

Sincerely,

A handwritten signature in black ink, appearing to read "Colleen Edwards". The signature is fluid and cursive, with the first name "Colleen" and the last name "Edwards" clearly distinguishable.

Colleen Edwards, Interim Chief  
Competitive Markets & Policy Division

c: Mr. James Mertz

Mr. Ron Jones, Chairman  
Ms. Sharla Dillon, Docket Room Manager